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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/766,402	01/28/2004	Martin Brady	0234CON2	3345
7590 02/07/2005 Roger S. Dybvig 22 Green Street			EXAMINER	
			SIMONE, TIMOTHY F	
Dayton, OH 45402			ART UNIT PAPER NUMBER	
			1761	

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

ė la sali	Application No.	Applicant(s)	m
631~13P621100~1	10/766,402 BRADY ET AL.		
Swiplement Notice of Allowability	Examiner	Art Unit	
	Timothy F. Simone	1761	
			<u> </u>
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.31	S (OR REMAINS) CLOSED in ) or other appropriate commu RIGHTS. This application is si	this application. If not includ nication will be mailed in due	ed course. <b>THIS</b>
1. This communication is responsive to			
2. The allowed claim(s) is/are			
3.   The drawings filed on are accepted by the Examine	er.		
<ul> <li>4. ☐ Acknowledgment is made of a claim for foreign priority u</li> <li>a) ☐ All b) ☐ Some* c) ☐ None of the:</li> <li>1. ☐ Certified copies of the priority documents hav</li> <li>2. ☐ Certified copies of the priority documents hav</li> </ul>	e been received.		
Copies of the certified copies of the priority do	• •		ation from the
International Bureau (PCT Rule 17.2(a)).	ocuments have been received	in this national stage applica	mon nom me
* Certified copies not received:			
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.	of this communication to file MENT of this application.	a reply complying with the re	quirements
5. A SUBSTITUTE OATH OR DECLARATION must be submINFORMAL PATENT APPLICATION (PTO-152) which giv	nitted. Note the attached EXA res reason(s) why the oath or	MINER'S AMENDMENT or N declaration is deficient.	IOTICE OF
6. CORRECTED DRAWINGS (as "replacement sheets") mu	st be submitted.		
(a) ☐ including changes required by the Notice of Draftsper	son's Patent Drawing Review	( PTO-948) attached	
1) ☐ hereto or 2) ☐ to Paper No./Mail Date	<u>-</u> •		
(b) ☐ including changes required by the attached Examiner Paper No./Mail Date	's Amendment / Comment or	in the Office action of	
Identifying indicia such as the application number (see 37 CFR deach sheet. Replacement sheet(s) should be labeled as such in			aback) of
7. DEPOSIT OF and/or INFORMATION about the depo attached Examiner's comment regarding REQUIREMENT			Note the
Attachment(s)  1. Notice of References Cited (PTO-892)	5. 🗌 Notice of Info	ormal Patent Application (PT	O-152)
2. $\square$ Notice of Draftperson's Patent Drawing Review (PTO-948)	6. Interview Su	mmary (PTO-413),	
3. Information Disclosure Statements (PTO-1449 or PTO/SB/Paper No./Mail Date	Paper No./N 08), 7. ⊠ Examiner's A	Mail Date Amendment/Comment	
4. Examiner's Comment Regarding Requirement for Deposit	8. 🗌 Examiner's S	Statement of Reasons for Allo	owance

of Biological Material

9. Other \_\_\_\_\_.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

## In the Claims

Claim 8, line 1, change "8" to read ---7---

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy F. Simone whose telephone number is 571-272-1407. The examiner can normally be reached on weekdays between 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Milton Cano can be reached on 521-272-1398. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Trimothy F. Simone Primary Examiner Art Unit 1761

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